IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

OP.No. 23648 of 2000(M)

PETITIONER:

R.K.GOYAL, MANAGING DIRECTOR,
CANNON STEELS (P) LIMITED,
864-A, INDUSTRIAL AREA, LUDHIANA,
STATAE OF PUNJAB.

BY ADV. SRI.S.VIJAYAKUMAR

RESPONDENTS:

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1) UNION OF INDIA REPRESENTED BY THE SECRETARY TO THE MINISTRY OF COMMERCE, GOVERNMENT OF INDIA, NEW DELHI.

2) THE DIRECTOR GENERAL OF FOREIGN TRADE, GOVERNMENT OF INDIA, NEW DELHI.

3) THE DEPUTY DIRECTOR, DIRECTORATE OF REVENUE INTELLIGENCE, KERALA REGIONAL UNIT, 19/1069-A, TALI, KOZHIKODE – 2.

***Addl.4) THE COMMISSIONER OF CUSTOMS, CUSTOM HOUSE, COCHIN.**

(*Addl.R4 is impleaded as per order in CMP.No.49560/2000 dated 23/10/2000.)

BY ADV. SRI.P.PARAMESWARAN NAIR, ASS.SOLICITOR GENERAL.
SRI.B.N.SHIVSANKAR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 19/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.39809 OF 2000 IN OP.NO.23648 OF 2000-M.

DISMISSED.

19/10/2007. Sd/- T.R.Ramachandran Nair, Judge.

PETITIONER'S EXHIBITS:-

Ext.P1: **Copy of the public notice No.66/97 dtd.25/6/1997 issued by the Director of Foreign Trade.**

Ext.P2: **Copy of the Circular No.69/97 dtd.8/12/1997 issued by the 1st respondent.**

Ext.P3: **Copy of the Circular bearing Number 23/99 dtd.11/5/99 issued by the 1st respondent.**

Ext.P4: **Copy of the Shipping Bill bearing No.00626 dtd.10/8/1999.**

Ext.P5: **Copy of the DEPB Licence dtd.30/12/1999 issued in favour of the petitioner by the Ministry of Commerce, Government of India.**

Ext.P6: **Copy of the shipping bill No.00637 dtd.10/8/1999.**

Ext.P7: **Copy of the DEPB Licence dtd.30/12/1999 issued in favour of the petitioner by the Ministry of Commerce, Govt. of India.**

Ext.P8: **Copy of the shipping bill No.00651 dtd.10/8/1999.**

Ext.P9: **Copy of the DEPB Licence dtd.13/1/2000 issued to the petitioner by the Ministry of Commerce, Govt. of India.**

RESPONDENTS' EXHIBITS:-

Ext.R4(a): **Copy of the show cause notice issued under section 124 of the Customs Act, 1962.**

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No.23648 of 2000-M.

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Dated this the 19th day of October, 2007.

J U D G M E N T

The above writ petition is filed mainly for a direction to the respondents 2 and 3 to release to the petitioner Exts.P5, P7 and P9 licences issued to him under the DEPB scheme detained by the Department. This Court had passed an interim order in C.M.P.No.46728/2000 on 3.10.2000 on the following terms:

> **"Consequently there will be a correction in the order dated 6.9.2000 in CMP.No.39809/2000 to the effect that there will be a direction to the third respondent to consider and take a final decision on the release of the licences Exts.P5, P7 and P9 to the petitioner within two weeks from today. A copy of the order will be produced by the petitioner before third respondent."**

Subsequently, by order dated 5.12.2000, time was extended by one month.

2. In the light of the above interim order no further orders are called for in this writ petition. Therefore, the writ petition is closed. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-